

PTO/SB/21 (09-04)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

17

Application Number

10/767,398

Filing Date

January 28, 2004

First Named Inventor

Joseph J. Settelmayer

Art Unit

3727

Examiner Name

Attorney Docket Number

YAK 382

ENCLOSURES

(Check all that apply)



Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/
Incomplete ApplicationReply to Missing Parts
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a
Provisional Application

Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____

☐ Landscape Table on CD

After Allowance Communication to TC

Appeal Communication to Board
of Appeals and InterferencesAppeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify
below):PTO 1449 form; 2 foreign references
and a return receipt postcard

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Kolisch Hartwell, P.C.

Signature

Printed name

Pierre C. Van Rysselberghe

Date

December 14, 2004

Reg. No.

33,557

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

Pamela A. Knight

Date

December 14, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FOR



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

December 14, 2004

JOSEPH J. SETTELMAYER, SCOTT R. ALLEN
and TIMOTHY C. SMITH

Our File – YAK 382

Serial No. : 10/767,398

Group Art Unit 3727

Filed : January 28, 2004

For : CAR TOP CARRIER

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.56, 1.97, and 1.98

Applicants are submitting this Information Disclosure Statement pursuant to 37 C.F.R. §§ 1.56, 1.97, and 1.98 to disclose to the U.S. Patent and Trademark Office the patents, publications, applications, and/or other references listed on the enclosed, completed PTO-1449 form(s). The filing of this Information Disclosure Statement should not be construed as a representation that a search has been made or as an admission that the listed references are prior art for this application. Applicants respectfully request that the listed references be expressly considered during prosecution of the application, and that the references be made of record therein and appear among the "references cited" on any patents issuing therefrom.

CONTENT OF DISCLOSURE

This Information Disclosure Statement includes (1) two pages of PTO-1449 forms, and (2) a legible copy of each foreign and non-patent reference, if any, listed on the form(s). However, because this application was filed on or after July 1, 2003, no copies of U.S. patents or published U.S. patent applications are included.

FOREIGN-LANGUAGE REFERENCES

A concise explanation of the relevance of each listed reference not in the English language follows:

Germany Patent No. DE 28 04 588: The patent discloses a roof rack useable for all common motor-vehicles that is designed to be braced atop previously installed lengthwise running luggage racks. It provides additional support by horizontally transversing the roof, effectively increasing the stability and load capacity of the vehicle.

Germany Patent No. DE 195 26 477: The patent discloses an adjustable luggage mount that can be slid along a luggage rack and clamped firmly into place.

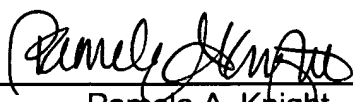
TIMING OF DISCLOSURE / FEE INFORMATION

This Information Disclosure Statement is being filed, to the best of the undersigned's knowledge, either (1) before the mailing of a first Office action on the merits, or (2) before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. § 1.114. Therefore, in accordance with 37 C.F.R. § 1.97(b), no fee or statement under 37 C.F.R. § 1.97(e) is required.

Please contact the undersigned with any questions or comments regarding this Information Disclosure Statement.

CERTIFICATE OF MAILING

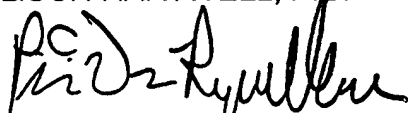
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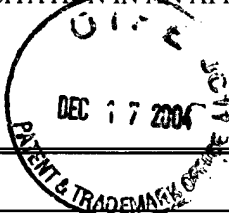
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Respectfully submitted,

KOLISCH HARTWELL, P.C.



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FORM PTO-1449		DOCKET NUMBER YAK 382		APPLICATION NUMBER 10/767,398		
INFORMATION DISCLOSURE CITATION IN AN APPLICATION 		APPLICANT(S) Joseph J. Settelmayer, Scott R. Allen and Timothy C. Smith				
		FILING DATE 01/28/2004		GROUP ART UNIT 3727		
U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FIL. DATE IF APPROP.
	1,313,687	08/19/1919	Hellweg			
	4,217,999	08/19/1980	Forsman			
	4,249,684	02/10/1981	Miller et al.			
	4,274,568	06/23/1981	Bott			
	4,406,387	09/27/1983	Rasor			
	5,419,479	05/30/1995	Evels et al.			
	5,492,258	02/20/1996	Brunner			
	5,582,313	12/10/1996	Envall			
	5,762,244	06/09/1998	Wagner			
	5,845,828	12/08/1998	Settelmayer			
	5,947,356	09/07/1999	DeLong			
	6,145,719	11/14/2000	Robert			
	6,276,311	08/14/2001	Pedrini			
	6,296,161	10/02/2001	Van der Feen et al.			
	2002/0030074	03/01/2002	Bove et al.			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
	DE 28 04 588	09/08/1979	Germany			
	DE 195 26 477	12/09/1996	Germany			
EXAMINER			DATE CONSIDERED			

The PTO did not receive the following
 listed item(s) Ref. No DE 195 26 477